

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT HUGHES,	)	
Plaintiff	)	
	)	
vs.	)	Civil Action No. 05-463
	)	Judge Arthur J. Schwab/
M. EITNER, C/O I; C. BOWLIN, C/O I;	)	Magistrate Judge Amy Reynolds Hay
SGT. BARKEFELT, C/O II; DAVID	)	
GRAINEY, C/O IV; LOUIS FOLINO,	)	
Superintendent; JEFFERY BEARD, Sect.	)	
Of Corr.,	)	
Defendants	)	RE: Doc. nos. 61 & 62

REPORT AND RECOMMENDATION

RECOMMENDATION

It is respectfully submitted that plaintiff's supplemental motions for injunctive order (docs. 61 & 62) be dismissed.

REPORT

Presently before the Court are plaintiff's motions for supplemental injunctive relief wherein he seeks orders from this Court directing the Pennsylvania Department of Corrections (DOC) to transfer plaintiff to another facility. Plaintiff asserts that defendants, or others on their behalf, have made non-specific "threats" against him, that he continues to be harassed by DOC personnel -- generally unidentified -- by being placed in "strip cells" without linens, etc., and that his safety is somehow in jeopardy.

Matters similar to those put forth in the instant motions were previously presented to this Court in the form of a motion for transfer, which this Court denied and which the district

court upheld, and in motions for injunctive relief, which this Court denied and the district court upheld. Plaintiff adds nothing new in the current motions for injunctive relief. Therefore, the district court should dismiss the motions for injunctive relief.

In accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(B) & (C), and Local Rule 72.1.4 B, the parties are allowed ten (10) days from the date of service to file written objections to this report. Any party opposing the objections shall have seven (7) days from the date of service of the objections to respond thereto. Failure to timely file objections may constitute a waiver of any appellate rights.

/s/ Amy Reynolds Hay  
AMY REYNOLDS HAY  
United States Magistrate Judge

Dated: April 3, 2006

cc: Hon. Arthur J. Schwab  
United States District Judge

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